

### **REMARKS/ARGUMENTS**

The Examiner is thanked for the clarity and conciseness of the previous Office Action and for noting that claims 4, 6, and 9, if re-written, include allowable subject matter.

This Amendment is in response to the Office Action mailed January 30, 2004. In the Office Action, the Examiner objected to the drawings, objected to claims 4, 6, and 9, and rejected claims 1, 2, 7, and 8 under 35 U.S.C. § 102, and claims 3, 5, 10, and 11 under 35 U.S.C. § 103. Applicant has canceled claim 11 without prejudice.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### ***Drawing Objections***

Applicant has attached sheets of drawings including changes to Figures 1-5. These sheets, which include Figures 1-5, replace the original sheets including Figures 1-5. In Figures 1-5, the omitted "Prior Art" designator has been added to comply with the Examiner's objection.

Applicant respectfully requests that the Examiner remove this ground for objection.

#### ***Rejection Under 35 U.S.C. § 102***

Claims 1, 2, 7, and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U. S. Application No. 2001/0040752 A1 issued to Szita et al (Szita). Applicant respectfully traverses this ground for rejection.

Anticipation requires that each and every element as set forth in the claim be found, either expressly or inherently described, in a single prior art reference. MPEP § 2131; Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987). However, it is not enough that the prior art reference disclose all the elements in isolation. Rather as stated by the Federal Circuit, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1985)

(*emphasis added*). Thus, even if the prior art reference includes all the elements that are claimed, if the arrangement of the claimed elements is different from the arrangement of the prior art elements, anticipation will not be present. Moreover, as the Federal Circuit has stated, "[t]he *identical invention* must be shown in as complete detail as is contained in the...claim." MPEP § 2131; Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236. (*emphasis added*).

Applicant's independent claims 1 and 7 generally relate to: A method of manufacturing a disk drive, or a disk drive formed by a method, including steps of measuring a width of a read element with a servo track writer...measuring a width of a write element with the servo track writer....*determining a track pitch based on the measured width of the read element and the measured width of the write element...*and...writing servo tracks onto the magnetic disk *at the determined track pitch*.

In contrast, Szita teaches a very different invention. As set forth in the Abstract of Szita, Szita teaches:

[A] new servo track writing technique called Extended Copying with Head Offset ("ECHO"). The read and write elements of the read/write head are offset from each other. A servo writer writes a guide pattern on the magnetic media disc. *ZAP correction factors are added to the guide pattern*. The head disc assembly is then connected to an electrical control system for self-propagating servo writing. The actuator arm is displaced until *the read head is aligned over the guide pattern*. A new servo track is written by the write element. *ZAP correction factors are added to the newly written servo track*. The actuator arm is displaced until the read element is aligned with the newly written servo track. A new servo track is written. *ZAP correction factors are added to the newly written servo track*. The process is repeated until a desired number of servo tracks are written. (Emphasis Added)

Therefore, Szita teaches writing a guide pattern on a disk and then adding ZAP correction factors to the guide pattern, and then based on the ZAP corrected guide pattern, writing a new servo track further corrected by ZAP correction factors, and iteratively repeating this process. This is very different from Applicant's claimed invention of independent claims 1 and 7, which

does not include writing a guide pattern and utilizing correction factors in conjunction with a guide track to write a servo pattern.

Particularly, Szita does not teach Applicant's claim limitations related to: *determining a track pitch based on the measured width of the read element and the measured width of the write element...and...writing servo tracks onto the magnetic disk at the determined track pitch.*

The Office Action cited operation 805 of Figure 8 as teaching this limitation, however, Applicant respectfully submits that the Office Action has misconstrued this teaching. As set forth in Szita:

[0070] Operation 805 assumes control once the HSA is connected to the control system in operation 804. Operation 805 activates the read element 301 and displaces the actuator assembly 110 until the read element 301 is flying over the guide pattern 701 written by operation 803. Operation 805 also uses the control system (using the guide pattern servo bursts 601, 602 and position error feedback signals among others) to determine the exact position of the read element 301 relative to the disc 108. Operation 805 uses the control system to adjust the position of the actuator assembly 110 so that the write element 302 is over the next track to be written....[0071] The write element 302 position is determined by subtracting the calculated offset 305 from the desired track 603 to be written and aligning the read element 301 over the result. For example, assume that guide pattern 701 consists of 50 tracks and the calculated reader/writer offset 305 equals five-and-a-half tracks. The next track 603 that is to be written is track 51 if the guide pattern 701 consists of 50 tracks 603. The read element 301, therefore, is positioned between track 45 and track 46 (i.e., 51 minus 5 1/2) in order to line the write element 302 over the center of track 51. (Emphasis Added)

Therefore, based on the guide pattern the exact position of the read element is calculated. Further, the write element position is determined by subtracting the calculated offset from the desired track to be written and aligning the read element over the result. Thus, Szita utilizes reader/writer offset in determining where to write a new track.

Szita quite simply does not teach or suggest Applicant's claim limitations related to *determining a track pitch based on the measured width of the read element and the measured*

*width of the write element...and...writing servo tracks onto the magnetic disk at the determined track pitch.*

Accordingly, Applicant respectfully submits that Applicant's independent claims 1 and 7 are neither anticipated nor rendered obvious by the Shitza reference. Applicant respectfully requests that the Examiner allow independent claims 1 and 7 and pass them to issuance. The dependent claims are allowable for being dependent from allowable base claims.

***Conclusion***

In view of the remarks made above, it is respectfully submitted that pending claims 1-10 define the subject invention over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

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Dated: 4/29/2004

By

  
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**Attachments**

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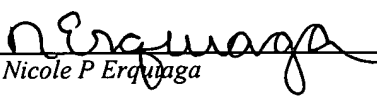
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Figure 1 showing changes

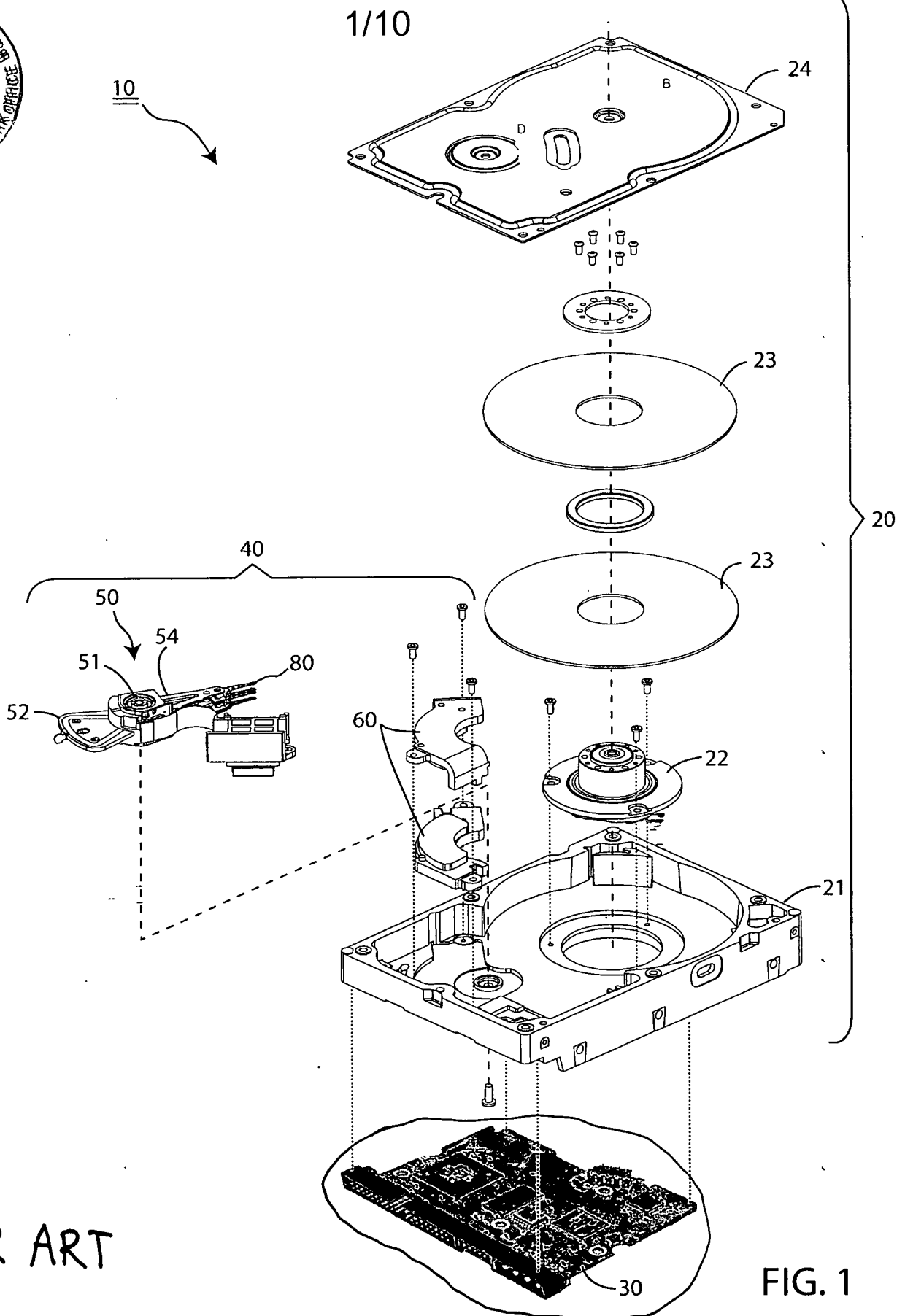
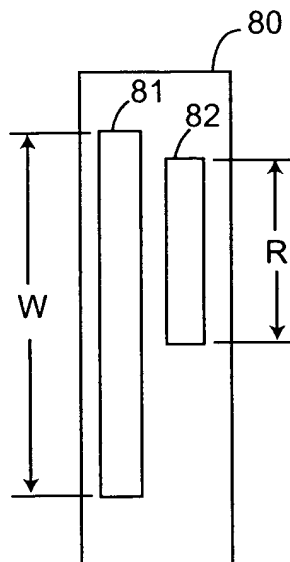


Figure 2 and 3 showing changes

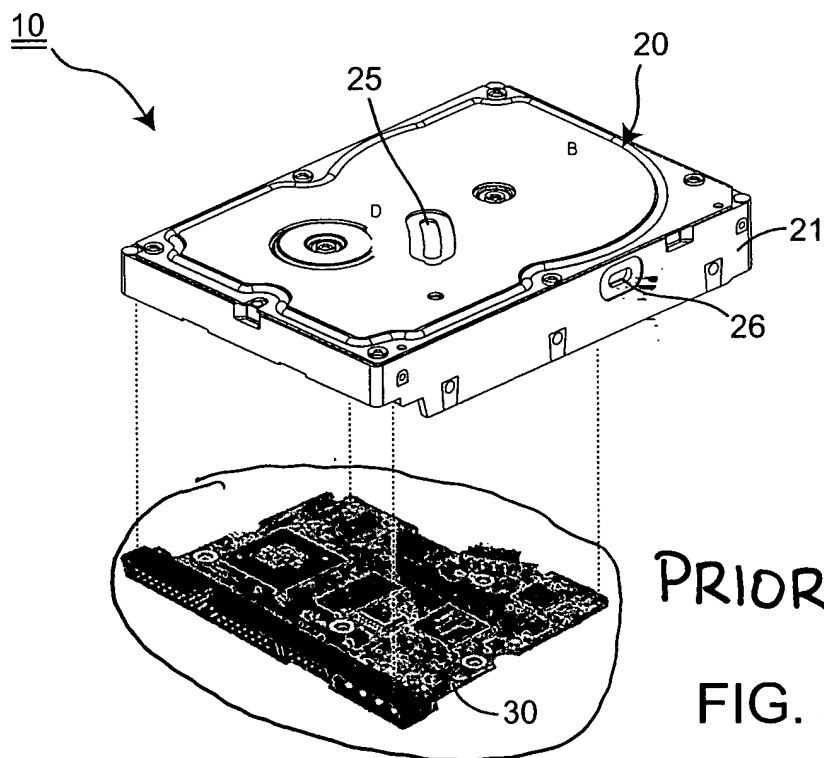


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PRIOR ART

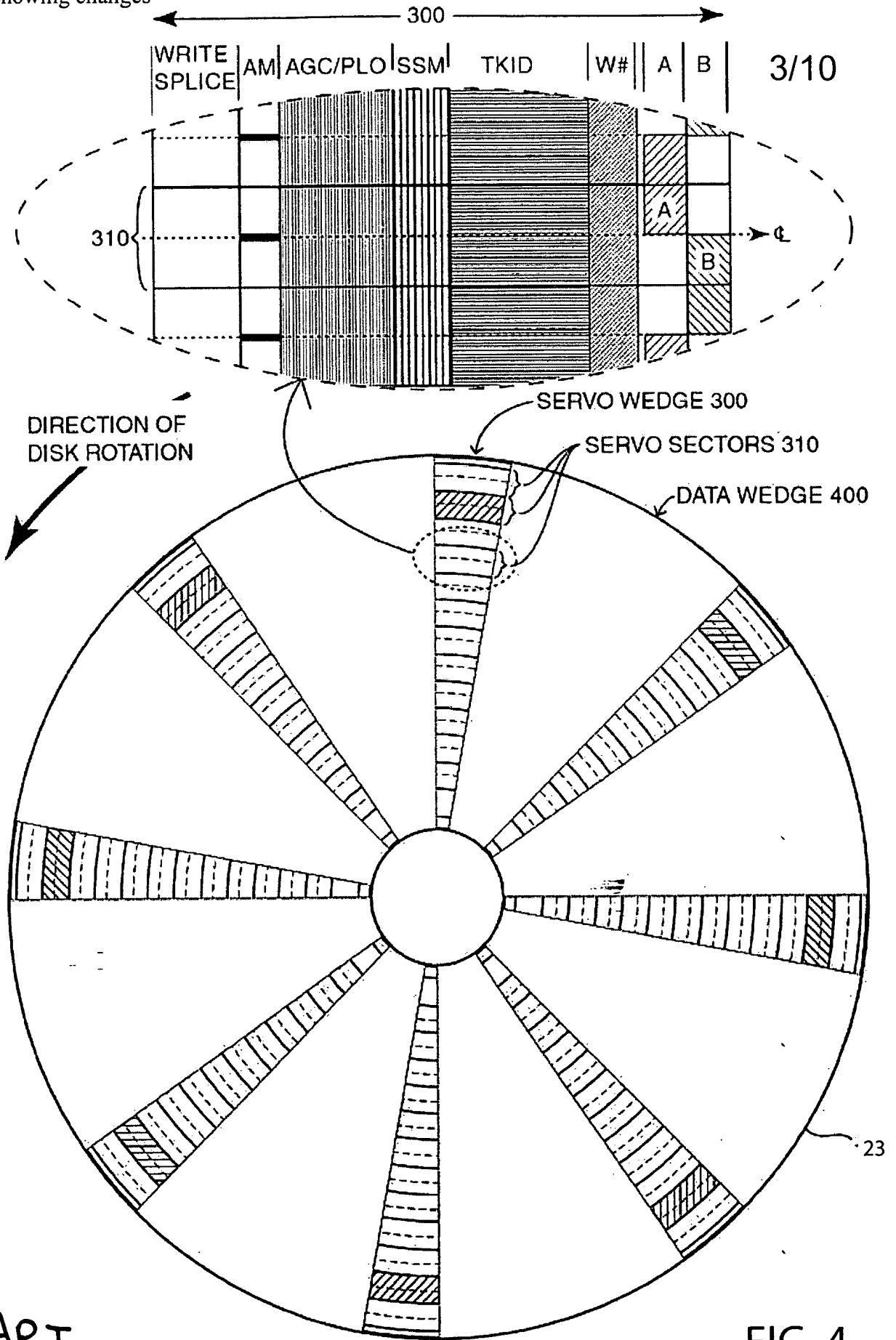
FIG. 2



PRIOR ART

FIG. 3

Figure 4 showing changes



PRIOR ART

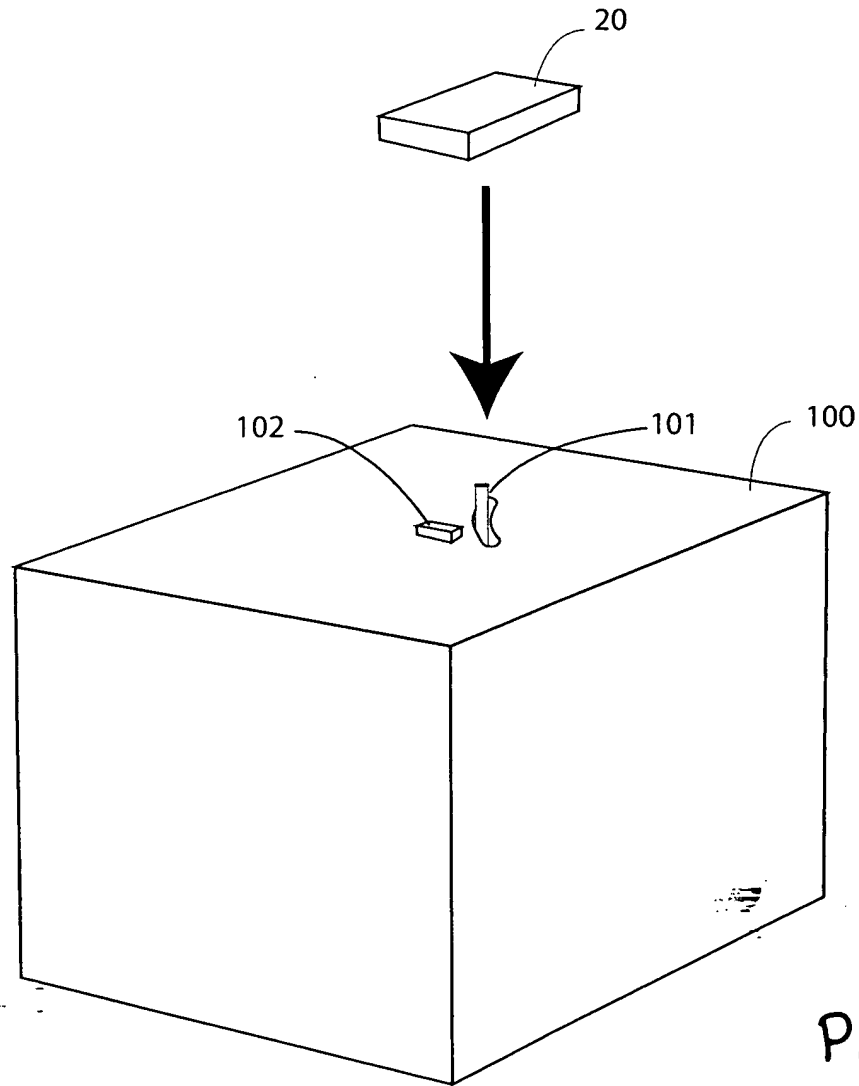
FIG. 4



Figure 5 showing changes



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PRIOR ART

FIG. 5